

granting them the right to establish, maintain, and operate telegraph and telephone lines upon their rights of way in connection with their business, and to build and maintain their lines under and across or along streams, highways, and streets as other common carriers within this State; and providing against discrimination in favor of or against individuals, associations of persons or corporations in the conduct of their business; requiring them to exchange tonnage with other common carriers, and to receive and transport petroleum oil tendered to them for transportation; empowering said Commission to make rules and regulations for their conduct; and to require the construction and maintenance by them of loading racks and transfer and delivery stations, and the transfer and delivery of petroleum from such common carrier to another, and to fix the charges therefor, and to define merchantable oil, and to fix the amount of deduction to be made therefrom on account of water and other foreign substances, and on account of evaporation and leakage, and giving said Commission plenary power to make rules and regulations for the control of such carriers, and power to enforce their rules and regulations and the provisions of this Act; fixing penalties for the violation of this Act, and the rules and orders of said Commission; making certain violations a criminal offense, and fixing the penalty therefor, and providing means for the recovery of such penalties as are not made criminal, either by the State of Texas or the party aggrieved by such violation, naming the tribunal in which such recovery may be had; providing for the employment of an expert to assist the Commission, fixing his salary and making an appropriation therefor; levying a tax to pay such salary and other expenses; repealing all laws in conflict with this Act; providing that the invalidity of any part of this Act shall not invalidate the remaining parts hereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

JOHNSON of Hall, Chairman.

(Floor Report.)

Senate Chamber,  
Austin, Texas, January 18, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 154, A bill to be entitled "An Act to create a special road law for Llano County, Texas, and provide for the appointment of a superintendent for public roads, highways and bridges by the commissioners court, and the fixing of the term of office and salary, and defining his duties,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Caldwell, Chairman; Gibson, Floyd, Buchanan of Scurry, Strickland, Clark.

#### NINTH DAY.

Senate Chamber,  
Austin, Texas,  
Friday, January 19, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Harley.
Bailey.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry	Johnston of Harris
Caldwell.	King.
Clark.	Lattimore.
Dayton.	McCollum.
Dean.	McNealus.
Decherd.	Page.
Floyd.	Parr.
Gibson.	Smith.
Hall.	Strickland.

Absent.

Robbins. Woodward.

Absent—Excused.

Hudspeth. Westbrook.  
Sulter.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with, on motion of Senator Johnson of Hall.

**Senate Bill No. 83—Special Order.**

(By unanimous consent.)

Senator Hall made the following written motion:

I move that Senate Bill No. 83 be set for special order for Monday, January 29, after the morning call and after final action has been taken by the Senate on Senate Bill No. 68.

HALL.

The motion was read and adopted.

**Bills and Resolutions.**

By Senator Alderdice:

S. B. No. 163, A bill to be entitled "An Act creating the office of State Commissioner of Education, prescribing the manner of his election, defining his term of office, fixing his salary, prescribing his duties, providing for substitute of title of 'State Commissioner of Education' for 'State Superintendent of Public Instruction,' and repealing all laws in conflict herewith."

Read first time and referred to Committee on Educational Affairs.

By Senator Johnson of Hall:

S. B. No. 164, A bill to be entitled "An Act to amend Section 10 of Chapter 36, Page 359, of Acts of the Thirty-first Legislature, approved March 15, 1909, entitled 'An Act to validate the Wichita Falls Independent School District' (and for other purposes) by repealing the last clause of Section 10 of said Act which limits the powers and discretion of the board of equalization of said independent school district in the performance of its duties, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Hall:

S. B. No. 165, A bill to be entitled "An Act to amend Chapter 8, Acts of the Regular Session of the Twenty-eighth Legislature, the same being entitled 'An Act to aid the City of

Galveston in elevating and raising said city so as to protect it from calamitous overflows by donating and granting to it the State ad valorem taxes and a part of the occupation and poll taxes collected on property and from persons in Galveston County for a period of fifteen years, and to provide a penalty for their misapplication,' by extending the provisions of said Act for a period of ten years from September 1, 1918."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Smith:

S. B. No. 166, A bill to be entitled "An Act to authorize the city council, board of commissioners or city manager of any city in this State to levy and collect a tax not to exceed five cents on each \$100 assessed valuation of the city for one year for the purchase and improvement of lands for city parks, and providing the manner of acquiring lands for park purposes, and providing for the management and control of said city parks, and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Smith:

S. B. No. 167, A bill to be entitled "An Act to provide whole family protection for members of fraternal benefit societies, and declaring an emergency."

Read first time and referred to Committee on Insurance and Banking.

By Senator Smith:

S. B. No. 168, A bill to be entitled "An Act to authorize fraternal benefit societies to issue certificates to their members in which eleemosynary, religious or educational societies, associations or corporations may be named as beneficiaries, and declaring an emergency."

Read first time and referred to Committee on Insurance and Banking.

By Senator Decherd:

S. B. No. 169, A bill to be entitled "An Act regulating the sale of and defining agricultural planting seeds; providing a standard purity for such seeds, requiring their proper label-

ing, defining noxious and common weed seeds and inert matter, prohibiting the sale of mixed seeds unless so labeled, providing for the collection of samples and their examination, designating an officer for the enforcement of the law, providing for the expense and enforcement of the law, and fixing penalties for its violation."

Read first time and referred to Committee on Agricultural Affairs.

By Senator McCollum:

S. B. No. 170, A bill to be entitled "An Act creating the Eighty-second Judicial District of Texas, to be composed of Falls County, and rearranging the terms of the Fifty-fourth Judicial District and eliminating Falls County from said Fifty-fourth Judicial District; prescribing the time for impaneling grand juries in said Fifty-fourth Judicial District; prescribing the jurisdiction and fixing the time for holding court and impaneling grand juries in said Eighty-second Judicial District; providing for the completion by the judge of the Fifty-fourth Judicial District of such term of court as may be in session in either county of the Fifty-fourth Judicial District as now constituted at the time this Act takes effect; providing for the appointment and tenure and fixing salary of a judge for said Eighty-second Judicial District; providing for the appointment of an official court reporter therefor; providing for the present district clerk of Falls County to be the clerk of the said Eighty-second Judicial District, to continue to hold office for the term for which he was elected; providing for the trial and disposition by said Eighty-second District Court of all business pending in said District Court of Falls County at the time this Act shall take effect, and for the return of all writs and process to and cognizance of all bonds and recognizances by said District Court of Falls County as constituting the Eighty-second Judicial District, which shall have been issued, entered into or filed in connection with any business of said Falls County District Court prior to the taking effect of this Act; repealing that part of Section 3 of Chapter 3 of the General Laws enacted by the Regular Session of the Thirty-fourth Legislature, which constituted

Falls County a part of the Fifty-fourth Judicial District, and that part of Section 8 of said Act wherein it provides for the holding of court in Falls County as a part of said Fifty-fourth Judicial District, as well as repealing all other laws and parts of laws in conflict with this Act, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Caldwell:

S. B. No. 171, A bill to be entitled "An Act to amend Chapter 3, Title 13, Article 4025, of the Revised Civil Statutes of the State of Texas, Acts of the Regular Session of the Thirty-first Legislature, Special Session, providing for the issuance of hunting license to residents of the State of Texas, so that it shall hereafter be unlawful for any person to hunt or kill in any manner, take or destroy any game quadruped or wild game birds or water fowls protected by the game laws of this State, without first having obtained license from the Game, Fish and Oyster Commissioner permitting him to do so; and providing for an affidavit to be made by the person making application for such license and making it the duty of the clerk of the court to furnish the Game, Fish and Oyster Commissioner with a certified copy of the final conviction of all persons convicted for the violation of the laws governing the hunting or killing of game quadrupeds, wild game birds or wild water fowl; to amend Chapter 6, Title 13, Article 891 of the Revised Penal Code of the State of Texas, Acts of the Regular Session of the Thirtieth Legislature as amended by the Acts of the Thirty-second Legislature of the State of Texas; and to amend Chapter 6, Title 13, Article 889, of the Revised Penal Code of the State of Texas, Acts of the Thirty-first Legislature of the State of Texas as amended by the Acts of the Thirty-second Legislature of the State of Texas, and to amend Chapter 6, Title 13, Article 885, of the Revised Penal Code of the State of Texas, Acts of the Regular Session of the Twenty-seventh Legislature of the State of Texas, and pertaining to the protection and preservation of wild game, wild game birds and wild water fowls of the

State of Texas, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Smith:

S. B. No. 172, A bill to be entitled "An Act to fix the time when a chattel mortgage shall be presumed to be paid, and for their destruction by the county clerk after a designated period and providing that chattel mortgages on agricultural products shall not be notice to those not parties to the instrument of the lien, unless the party who owes the debt for which the chattel mortgage is given shall make affidavit and have said mortgage advanced on the record, on or before January 10 of the year for which mortgage is claimed as a lien on said agricultural products, and declaring an emergency. Amend Article 5662, Chapter 7, Title 86, Revised Statutes, 1911."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Harley:

S. B. No. 173, A bill to be entitled "An Act authorizing the State Librarian, Archivist and Historian of the State Library to purchase for the State of Texas for the purpose of placing in the Archives and History department of the State Library, the literary remains of Sam Houston, consisting of letters, documents, relics, etc., written and collected by Sam Houston, and making an appropriation therefor, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Strickland:

S. B. No. 174, A bill to be entitled "An Act to validate, ratify and confirm the title to the south league of a two league grant to Jose Antonio Sepulveda in Trinity County, abandoning all claims of the State of Texas to said land, and declaring an emergency."

Read first time and referred to Committee on Public Lands and Land Office.

By Senator Dayton:

S. B. No. 175, A bill to be entitled "An Act to amend Article 1861,

Chapter 6, Title 37, of the Revised Civil Statutes of Texas for 1911, relating to service on foreign corporations."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Lattimore:

S. B. No. 176, A bill to be entitled "An Act to authorize commissioners courts, in addition to the powers now granted them, to make appropriations of money to regularly organized relief and charitable associations, for the support of indigents; requiring such associations to make annual reports to said courts, and declaring an emergency."

Read first time and referred to Committee on Commerce and Manufactures.

By Senator Dean:

S. J. R. No. 8, A joint resolution to amend Section 4 of Article 11 of the Constitution of the State of Texas, by providing that towns and cities having a population of less than five thousand inhabitants may assess and collect an annual tax to defray the current expenses of their local government not to exceed one-half of one per cent of the taxable property thereof for any one year.

Read first time and referred to Committee on Constitutional Amendments.

#### Simple Resolution No. 28.

By Senator Caldwell:

Whereas, The platform adopted at Houston by the Democratic party, in convention assembled, recommends many important matters of legislation for consideration of the Thirty-fifth Legislature; be it

Resolved, That said platform be printed in the Journal of the Senate for the information and convenience of the members.

CALDWELL.  
DAYTON.

The resolution was read and pending its consideration Senator McNealus moved that the resolution be tabled, which motion was lost by the following vote:

Yeas—12.

Alderdice. Buchanan of Scurry.  
Buchanan of Bell. Dean.

Decherd. Lattimore.  
Floyd. McNealus.  
Hopkins. Smith.  
Johnson of Hall. Strickland.

Nays—14.

Bailey. Harley.  
Bee. Henderson.  
Caldwell. Johnston of Harris.  
Clark. King.  
Dayton. McCollum.  
Gibson. Page.  
Hall. Parr.

Absent.

Robbins. Woodward.

Absent—Excused.

Hudspeth. Westbrook.  
Suiter.

Action recurred on the resolution and the same was adopted by the following vote:

Yeas—14.

Bailey. Harley.  
Bee. Henderson.  
Caldwell. Johnston of Harris  
Clark. King.  
Dayton. McCollum.  
Gibson. Page.  
Hall. Parr.

Nays—11.

Alderdice. Johnson of Hall.  
Buchanan of Bell. Lattimore.  
Buchanan of Scurry. McNealus.  
Decherd. Smith.  
Floyd. Strickland.  
Hopkins.

Absent.

Dean. Woodward.  
Robbins.

Absent—Excused.

Hudspeth. Westbrook.  
Suiter.

Senator Caldwell moved to reconsider the vote by which the resolution was adopted and table the motion to reconsider.

The motion to table prevailed.

(See Appendix for the Democratic Platform in full.)

7—Senate.

Messages From the House.

Hall of the House of Representatives,  
Austin, Texas, January 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 47, A bill to be entitled "An Act making an emergency appropriation for the support and maintenance of the State Quarantine Station at Brownsville, Texas, and other points within the State for the remainder of the fiscal year ending August 31, 1917, and declaring an emergency."

Also adopted

S. C. R. No. 4, requesting the Texas representatives in the Senate and Congress to support all measures tending to abridge the rights of the Interstate Commerce Commission to encroach upon the rights of a State.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, January 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am instructed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 248, A bill to be entitled "An Act to amend Section 1, Chapter 48, General Laws of Texas, creating Willacy County, approved March 11, 1911; and to amend Section 1, Chapter 10, General Laws of Texas, creating Kleberg County, approved February 27, 1913, the purpose of this Act being to change and make the boundary line between said counties conform to the result of elections duly called and held in said counties, the returns of which have been duly estimated, tabulated, certified to, sealed, endorsed and transmitted to the Speaker of the House of Representatives, in the manner and form prescribed by law, whereby certain territory was detached from Willacy County and attached to Kleberg County, and whereby certain land, waters and territory were detached from Kleberg and attached to Willacy County; to repeal all laws

in conflict herewith, and declaring an emergency."

H. B. No. 275, A bill to be entitled "An Act to reorganize the Thirty-second, Thirty-ninth and Seventieth Judicial Districts, so as to declare what counties compose the Thirty-second, Thirty-ninth and Seventieth Judicial Districts; to fix the time for holding court in the various counties of said district; to make the processes issued to serve before this Act takes effect, including recognizance and bonds returnable to terms of court as herein fixed, and continuing in office judges and district attorneys in each of said districts; to repeal all laws in conflict herewith, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### Bills Read and Referred.

The Chair (Lieutenant Governor Hobby) had referred, after their captions had been read, the following House bills:

H. B. No. 47, referred to the Committee on Finance.

H. B. No. 248, referred to the Committee on Counties and County Boundaries.

H. B. No. 275, referred to the Committee on Judicial Districts.

#### Senate Bill No. 152.

By unanimous consent and on request of Senator Gibson, the Chair laid before the Senate on second reading,

S. B. No. 152, A bill to be entitled "An Act to authorize and empower Lamar County or any political subdivision or defined district of said county by a vote of two-thirds majority of the resident property taxpayers, qualified voters of such county, or political subdivision or defined district thereof, voting thereon to issue bonds to any amount not exceeding one-fourth of the assessed valuation of the real property of such county or such political subdivision or defined district, and to levy and collect taxes to pay the interest on such bonds and provide a sinking fund for the redemption

thereof, and for the maintenance of said roads during the life of such bonds for the purpose of construction, maintaining and operating macadamized, graveled or paved roads and turnpikes, and prescribing ways and means of conducting and supervising said work, and to repeal Chapter 3 of the Special Acts of the Thirty-first Legislature and Chapter 15 of the Special Acts of the Thirty-second Legislature and all other special road laws for Lamar County, and declaring an emergency."

The Senate rule requiring committee reports to lie over one day was suspended and the committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Gibson, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 152 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Henderson.
Bailey.	Hopkins.
Ree.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Parr.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	

Absent.

Decherd.	Robbins.
Harley.	Woodward.
Page.	

Absent—Excused.

Hudspeth.	Westbrook.
Suiter.	

S. B. No. 152 was laid before the Senate, read third time and passed finally by the following vote:

Yeas—23.

Alderdice.	Clark.
Bailey.	Dayton.
Bee.	Dean.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Gibson.
Caldwell.	Henderson.

Hopkins. McNealus.  
 Johnson of Hall. Page.  
 Johnston of Harris, Parr.  
 King. Smith.  
 Lattimore. Strickland.  
 McCollum.

Absent.

Decherd. Robbins.  
 Hall. Woodward.  
 Harley.

Absent—Excused.

Hudspeth. Westbrook.  
 Suiter.

Senator Gibson moved to reconsider the vote by which S. B. No. 152 was passed and table the motion to reconsider.

The motion to table prevailed.

**Senate Bill No. 133.**

By unanimous consent, on request of Senator Caldwell, the Chair laid before the Senate on second reading, S. B. No. 133, A bill to be entitled "An Act making an appropriation to construct and complete necessary buildings for the new Texas School for the Blind, and to build necessary fences, walks and drives, and to beautify the grounds, and to furnish all necessary apparatus, equipment and furniture, and to pay the expenses of moving in order to have the said school ready for occupancy, and declaring an emergency."

Senator Dayton offered the following amendment, which was read and adopted:

After the word "building" in line 26, printed bill, add "or so much thereof as may be necessary for the purpose of moving."

The bill was passed to engrossment.

On motion of Senator Caldwell, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 133 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice. Caldwell.  
 Bailey. Clark.  
 Bee. Dayton.  
 Buchanan of Bell. Dean.  
 Buchanan of Scurry. Floyd.

Gibson. Lattimore.  
 Hall. McNealus.  
 Harley. Page.  
 Henderson. Parr.  
 Hopkins. Smith.  
 Johnston of Harris Strickland.  
 King.

Absent.

Decherd. Robbins.  
 Johnson of Hall. Woodward.  
 McCollum.

Absent—Excused.

Hudspeth. Westbrook.  
 Suiter.

S. B. No. 133 was laid before the Senate, read third time, and passed finally by the following vote:

Yeas—25.

Alderdice. Henderson.  
 Bailey. Hopkins.  
 Bee. Johnston of Hall.  
 Buchanan of Bell. Johnston of Harris  
 Buchanan of Scurry. King.  
 Caldwell. Lattimore.  
 Clark. McCollum.  
 Dayton. McNealus.  
 Dean. Page.  
 Floyd. Parr.  
 Gibson. Smith.  
 Hall. Strickland.  
 Harley.

Absent.

Decherd. Woodward.  
 Robbins.

Absent—Excused.

Hudspeth. Westbrook.  
 Suiter.

Senator Caldwell moved to reconsider the vote by which S. B. No. 133 was passed and table the motion to reconsider.

The motion to table prevailed.

**Memorial Service.**

The Chair (Lieutenant Governor Hobby) laid before the Senate an invitation from the U. D. C. to be present at a memorial service to be held at 4 p. m., Friday, January 19, 1917, at the Capitol.

**Adjournment.**

At 12:07 p. m., on motion of Sen-

ator Bailey, the Senate adjourned until 10 a. m. Monday, January 22, 1917.

#### APPENDIX.

##### Petitions and Memorials.

A numerously signed petition was sent up by Senator Decherd asking that any bill proposing an act to regulate the sale of patent medicines, etc., by rural wagons be not passed.

Senator Parr offered a petition from the citizens of Washington County, opposing the drug law Act, requiring that vendors of medicines or country storekeepers be licensed pharmacists.

Senator Johnson offered a petition from Motley County protesting against any bill regulating the sale from wagons, throughout the rural districts, medicines, extracts, spices, stock and poultry tonics, etc.

A numerously signed petition from the citizens of Midland county was offered by Senator Buchanan of Scurry asking that the members of the Thirty-fifth Legislature give its hearty and active support to a Senate bill by Senator Johnson and a House bill by Hawkins of Runnels granting to junior colleges in Texas certain certificate privileges under the supervision of the State Department of Education.

##### Platform of the Democratic Party for 1916.

We, your Committee on Platform and Resolutions, beg leave to report for your approval and adoption the following platform:

1. The Democracy of Texas, in convention assembled at Houston, in the year 1916, reaffirms its faith in and pledges anew its devotion to the time-honored principles of Democracy as taught and secured by the founders and fathers of this republic.

##### National Administration.

2. We cordially and heartily endorse the National administration (Democratic) under the leadership of President Woodrow Wilson, and we confidently congratulate the nation upon the unswerving devotion

and honesty with which the Democratic party has respected its pledges and maintained the ideal of a government of the people, by the people and for the people. Upon the record made, we earnestly ask the voters of the United States to support the National Democratic ticket at the coming election in November.

##### Mexican Policy.

3. In order that those living in States remote from Texas may know the real feelings of the citizens of Texas, upon whose ears the tocsin of war has sounded; upon whose ears the hoof-beat of the cavalry horses has fallen; in whose ear the crack of the rifle and the shout of the American has rung in the controversies with Mexico, we, the Democrats of Texas, are glad of an opportunity to openly and unanimously endorse the Mexican policy of President Wilson, and we sincerely approve the caution, the wisdom and the patriotism which he has exercised in dealing with the trying and troublesome conditions that have sorely taxed his patience in the conduct of our international and industrial relations with Mexico.

##### Governor Ferguson Endorsed.

4. The test of statesmanship is accomplishment. The proof of accomplishment is the expression of the people's commendation. Measured by this test, subjected to this proof, Governor Ferguson reaches the highest standard. Two years ago, on a platform which voiced a determination to serve the people's cause by bringing to an end in Texas a period of agitation without results, and to bring in an era of constructive and remedial legislation, he made his first campaign. The education of helpless and dependent children, the gentle and sympathetic ministrations of the State to the care and comfort of the blind, deaf, dumb and insane, the dawning of a day when a proud and prosperous people will no longer permit these wards of the State to suffer in county jails and in inadequate buildings, are some of the ennobling functions of the government brought into exercise during his administration. In his second campaign, the one just closed, he has renewed his promises

and enlarged his assurances that the blessings of education shall in this State be so extensive as to be equally available to those in plentiful circumstances and to those without the means to procure these advantages. For this forward movement, for the pledge that in Texas government is not now a burden but a benefaction, we give Governor Ferguson and the Thirty-fourth Legislature full credit. We most heartily commend and approve the record already made, and urge the Democratic voters of the State to re-elect and return him to the high station he now so fittingly fills.

#### Appropriations.

5. We urge upon the Legislature in making appropriations for the support and maintenance of the various departments and institutions of our State government to clearly itemize all such appropriations, so that the people may be fully informed as to the purpose for which any appropriation is made.

#### Agriculture.

6. Agriculture being the foundation of all wealth and civilization of Texas, whose citizenship resides mainly on the farm, being the most important State in the Union, we urge upon the Legislature to give careful consideration to the legislation affecting our great farming masses. To this end, we earnestly recommend to the coming Legislature the following:

(a) A careful investigation of the present warehouse law and its practical workings, its advantages and disadvantages, with a view to making such additions or changes as may be necessary to enable the farmer to gather his crop and prepare and store same for market at the least possible cost and inconvenience to himself and others.

(b) Such laws as are necessary to more surely prevent and prohibit pools, combines and trusts from fixing the price of all farm products—having in mind especially the fixing of the prices of cotton, cotton seed, cotton seed meal, cotton seed oil, cattle and hogs.

(c) Such laws as are necessary to more fully furnish information concerning the management of the farm,

the scientific cultivation and preservation of the soil, the improved methods of breeding and raising beef and dairy cattle, as well as the profitable raising and rotation of crops.

(d) Such laws as will enable the raisers of truck gardening, orchard and other perishable products to market same beyond the limits of the State promptly, without sacrificing the value of said perishable products in freight rates or commission charges.

#### Organized Labor.

7. We pledge the Democracy of Texas to a just and liberal policy toward the demands of organized labor, to whom the Democratic party has and can always look for help and co-operation.

We especially recommend an eight-hour working day for all classes of labor where same is practicable.

We deem it as much the duty of the government to prevent the confiscation of labor as it is to prevent the confiscation of property.

We again reaffirm that in all departments of the State, counties and cities where women are employed that they receive the same salary as men employed in such capacity where the service rendered is the same.

To bring about the more general employment of labor, as well as a speedy development of our State, we gladly endorse the "Buy-It-Made-in-Texas" movement.

We recommend such changes or amendments to the present workmen's compensation acts as is necessary to attain prompt and fair settlement for injured employes and such amendments and changes as are necessary to meet any legal objections to said law.

#### Foreign Capital.

8. We welcome the investment in Texas of foreign capital, and assure it the full protection of our laws. We fully realize the great necessity of a liberal financial policy toward outside capital in order that our many natural resources may attain their proper and full development.

#### Eleemosynary Institutions.

9. We urge upon the Legislature the moral obligation resting upon

our people to properly care for the insane. We urge the next Legislature to make adequate appropriations to erect a new asylum having necessary capacity to take care of every insane person now in the jails of Texas or likely to be for the next ten years to come. If half a billion dollars is necessary for such purpose, we then recommend the appropriation of such sum or any part thereof as may be necessary to so provide for the insane.

We also recommend such additional appropriation as is necessary for the completion and equipment of the State institution for the care of the feeble-minded, now in course of construction.

#### Education.

10. We declare that popular and general education of the masses to be the first duty of the government—not as a matter of charity, but as a matter of duty and necessity for the perpetuation of its own existence. Realizing this great responsibility, the Democracy of Texas, in convention assembled, points with pride to the educational legislation now upon the statute books of the State, especially the legislation passed by the last Legislature, and here pledges itself to secure the passage of such additional laws as will put Texas in the first rank of education. Among others, we especially recommend the following:

(a) The appropriation by the next Legislature of \$2,000,000 for the aid of the rural schools, to be expended in the same manner as the \$1,000,000 appropriated by the last Legislature for the same purpose.

(b) The increase of the constitutional limitation which will permit districts to levy a tax sufficient to provide more suitable buildings and better maintenance of schools for nine months in each year.

(c) A reasonable increase in the salaries now paid teachers in the public schools, in order to induce more men and women to make teaching their life work, which will result in greater efficiency.

(d) Liberal appropriations for A. and M. College, the normal schools, the College of Industrial Arts and the State University, including their maintenance during the summer

terms, said appropriations to be fully itemized.

(e) The printing of school books in Texas, where same can be published and purchased approximately as cheaply as elsewhere, quality and workmanship considered.

(f) Necessary law providing for textbooks for use in the public schools, at expiration of present contracts, so that same may be furnished at lowest possible cost.

#### Public Highways.

11. We urge upon the incoming Legislature to give serious and careful consideration to the matter of building and maintaining State and county highways by the levy of a tax on automobiles and other motor vehicles, said fund to be equitably divided between the State and counties. We recommend the creation of a highway commission, to be paid a reasonable salary and traveling expenses, with powers to fix and establish standards and specifications for building public roads and to locate same, when built by the State, and with powers to employ State convicts in building State highways, all to be paid out of the tax on automobiles herein mentioned.

#### Prison System.

12. We recommend that the Legislature give consideration to the penitentiary system and make such changes in the law governing same as may appear to be necessary.

#### Judicial Reform.

13. Without undertaking to even advise what shall be done, we again call attention to the pressing necessity of some kind of reform or change in our judicial procedure. We believe that something must be done to prevent the law's delay if the dignity of the courts is to be continued.

#### Cotton Factories.

14. We recommend the submission by the Legislature of a constitutional amendment exempting from taxation of cotton, worsteds or woolen factories in Texas for a period of ten years.

#### Campaign Expenses.

15. In order to safely and more

surely maintain the purity of the ballot, we recommend the passage of new laws or the amendment of the present laws more clearly defining the purposes for which candidates for office may spend money in campaigns for office; and said laws to provide for the greatest possible publicity during the campaign of the amount of money spent by the candidates and the source from whence derived, and providing for severe penalties for violations of said laws. We believe it is better to control the manner and purpose of using campaign funds than to undertake to control the amount which would aid the dishonest and hurt the honest man who would seek office. Again we emphatically denounce the campaign liar and demand that it be made a penitentiary offense for any person to make an untrue statement about any candidate for office.

#### Public Health.

16. In the interest of the public health, at this particular time, we earnestly demand the maintenance and support and retention of our quarantine rights and powers, and recommend to our Legislature that it make liberal appropriations for the support of our coast and border quarantine service. We also recommend the passage of such additional laws as will prevent the spread of contagious diseases, and as far as possible insure our people complete immunity from sickness and epidemics.

#### Fee System.

17. We recommend that the Legislature endeavor to control the abuses of the present fee system for the payment of county, city and precinct officers.

#### Live Stock.

18. We demand the most liberal and adequate appropriations for the support and maintenance of the Live Stock Sanitary Commission of Texas. We demand liberal appropriations for bounties on wild animals that prey upon the herds of the State. We demand liberal appropriations for tick eradication, and think that \$100,000 for such purpose would not be too much.

#### Home Ownership.

19. Home owning and home building being one of the essentials of a prosperous and patriotic citizenship, we demand that all notes representing, and hereafter given for the purchase of a homestead in the town or county and drawing less than 6 per cent interest per annum shall be exempt from taxation.

#### Ranger Force.

20. We demand that the Thirty-fifth Legislature make adequate appropriation for the maintenance of an efficient Ranger force in this State to the full quota allowed by law.

#### Political Conventions.

21. We recommend to the Thirty-fifth Legislature and urge it to enact a law which shall provide: That no political party in this State in convention assembled shall ever place in the platform or resolutions of the party they represent any demand for specific legislation on any subject unless the demand for such specific legislation shall have been submitted to a direct vote of the people and shall have been ordered by a majority vote of all the votes cast in the primary election of such party; provided, that the State election or executive committee shall, on petition of 10 per cent of the voters of any party, as shown by the last primary vote, submit any such question or questions to the voters at the general primary next preceding the next convention. Said petition shall be signed by the adherents of the political party to whom said petition shall be presented and shall give the county and postoffice address of each signer thereto, and certified to under oath by the tax collector of the county from whence said petition is signed that the persons signing the same are qualified voters as shown by the tax rolls of the said county. Said petition shall be filed with the State chairman of the said political party not less than thirty days before same shall be acted upon by the said State executive committee.

In order to make the foregoing effective, we recommend to the Legislature the enactment of laws fixing suitable penalties for persons who violate the same by reason of signing

such petition more than one time, or any person signing same who is not a voter at the election to which same is proposed to be submitted, or who shall sign any such petition for the submission of any such question to any political party of which he is not a member.

#### Officers Thanked.

The Democrats of Texas in convention assembled desire to express their sincere appreciation of the able and patriotic services rendered to the Democracy of Texas by the Hon. Paul Waples and the Hon. Charles J. Kirk, chairman and secretary of our worthy State Democratic committee.

#### Nomination of Judges.

We recommend that the Thirty-fifth Legislature so amend the present primary election laws as to provide for the nomination of members of the Supreme Court, Court or Criminal Appeals and Courts of Civil Appeals by conventions to be held not later than the second Tuesday in September preceding the general election at which such judges are to be elected:

#### Anticipation Warrants.

We condemn the practice of commissioners courts and city councils in the issuance of long-term interest-bearing warrants, commonly known as anticipation warrants, and recommend that the Legislature make such investigation as necessary and enact such laws as they consider necessary to stop the practice except for emergency purposes, and that their power in that respect be limited and made specific.

#### Second A. and M. College.

Whereas, The State of Texas has reached a point where one A. and M. College is insufficient for the rapidly developing interests of the State; and,

Whereas, The development in West Texas is such that the experiments of other sections do not meet the needs of that section of the State on account of differences of soil and climatic conditions; therefore be it

Resolved, That the incoming Legislature is hereby requested and instructed to provide for the establish-

ment of a branch A. and M. College and that a separate and distinct appropriation be made to maintain the same, the same to be located at some point in West Texas west of the ninety-eighth meridian, and the location to be decided upon in a manner that will be fair and just to all interests concerned.

#### Resolution No. 1.

We give our hearty approval to the efforts now being made to secure the navigation of all streams in Texas that are worthy of improvement, as well as endorse the movement of reclaiming the flood districts of the State and all necessary surveys.

That we endorse the work of providing for deep water ports on the Texas coast, also the plan to complete the intercostal canal, and we urge our Representatives in Congress to give their support and cooperation to these movements. We suggest our willingness to aid the Federal government in all enterprises intended as beneficial to the rivers for navigable purposes or to remove obstacles therefrom which tend to hinder the navigation of the streams of Texas or tend to obstruct the streams in such a way as to increase the danger of overflow in said streams.

#### Resolution No. 2.

Whereas, The decision of the United States Supreme Court in what is known as the Shreveport rate case gives the Interstate Commerce Commission the right to strike down a State-made rate, notwithstanding the fact that the State rate may be just and reasonable within itself; and,

Whereas, If such is to remain the law, the right of a sovereign State to regulate its lines of railway transportation will be seriously crippled, if not destroyed; and,

Whereas, The platform of the Republican party, recently adopted at Chicago, contains a plank which boldly declares for the abolition of State railroad commissions; therefore be it

Resolved, That the Democratic party of Texas, in convention assembled, is irrevocably committed to the doctrine of the right of a State to regulate purely State commerce, and

that we, the Democrats, declare our steadfast opposition to further encroachment by the Federal government upon the rights of the State to regulate purely State commerce, and that the Representatives in Congress from Texas are instructed to support and vote for any measure that has for its object the perpetuation of the right of a State to regulate purely State commerce.

#### Resolution No. 3.

Biennial elections impose a heavy and unnecessary expense upon the taxpayers, disturb normal conditions of material development in the manifold activities of the State and tend to encouragement of political agitation and discord without any substantial advantage to our citizens, and we recommend to the Legislature the submission to the people for their approval of a constitutional amendment providing for four-year terms for all State offices.

#### Engrossing Committee Reports.

Committee Room,  
Austin, Texas, January 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills beg leave to report that they have examined and carefully compared Senate Bill No. 47, and find the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, January 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills beg leave to report that they have examined and carefully compared Senate Bill No. 40, and find the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, January 19, 1917.  
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills beg leave to report that they have examined and carefully compared Senate Bill No. 123, and find the same correctly engrossed.

ALDERDICE, Chairman.

#### Committee Reports.

Committee Room,  
Austin, Texas, January 19, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: Your Committee on Civil Jurisprudence, to whom was referred S. B. No. 106, A bill to be entitled "An Act to amend Title 52, Article 3420, of the Revised Statutes of the State of Texas so as to provide that property upon which valid liens have been given shall not be appropriated for exemptions or to make up allowances in lieu thereof until payment of debts secured thereby, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

BAILEY, Chairman.

Committee Room,  
Austin, Texas, January 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred S. B. No. 64, A bill to be entitled "An Act to amend Article 1162 of Chapter 3, Title 25, of the Revised Civil Statutes of 1911, conferring on corporations the power to borrow money, the purpose of the amendment being to permit corporations to borrow in excess of the amount of their authorized capital stock, and to declare an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,  
Austin, Texas, January 19, 1917.

Hon. W. P. Hobby, President of the Senate:

Sir: Your Committee on Civil Jurisprudence, to whom was referred S. B. No. 45, A bill to be entitled "An Act to prohibit commissioners courts from issuing warrants, negotiable or non-negotiable, interest bearing or non-interest bearing, or from otherwise contracting debts against the courthouse and jail fund, or the road and bridge fund, of their respective counties, in excess of the estimated receipts for the year in

which such warrants or evidence of indebtedness are issued, and declaring all contracts undertaking to create any indebtedness against any such fund in excess of the estimated receipts to accrue for that year to such fund to be illegal and void,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,  
Austin, Texas, January 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 156, A bill to be entitled "An Act to increase the authority and duties of the commissioners court of Calhoun county, Texas, and of the county commissioners of said county; to require said county commissioners to devote their entire time and attention to the affairs of said county, and to fix the salary for the members of said commissioners court, and repealing all laws, general and special, in conflict with the provision of this Act, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, but be not printed.

PARR, Chairman.

Committee Room,  
Austin, Texas, January 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 160, A bill to be entitled "An Act to increase the authority and duties of the commissioners court of Duval county, Texas, and of the county commissioners of said county; to require said county commissioners to devote their entire time and attention to the affairs of the said county, and to fix the salary for the members of said commissioners court, and repealing all laws, general and special, in conflict with the provisions of this Act, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, but be not printed.

PARR Chairman.

Committee Room,  
Austin, Texas, January 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Congressional Districts, to whom was referred

S. B. No. 11, A bill to be entitled "An Act to apportion the State of Texas into congressional districts, naming the counties composing the same, and providing for the election of a member of United States Congress from each district, and repealing all laws and parts of laws in conflict therewith,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be printed.

HARLEY, Chairman.

Committee Room,  
Austin, Texas, January 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 83, A bill to be entitled "An Act to amend Article 1307, Chapter 24, Title 25, Revised Civil Statutes of 1911, as amended by Chapter 152 of the General Laws passed by the Thirty-fourth Legislature, approved April 7, 1915, relating to corporations formed for the purpose of storing, transporting, buying and selling oil and gas and other products, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HALL, Chairman.

Committee Room,  
Austin, Texas, January 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 96, A bill to be entitled

"An Act making it a misdemeanor to kill or in any manner injure the winged quadruped known as the common bat; repealing all laws in conflict therewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PAGE, Chairman.

Committee Room,  
Austin, Texas, January 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 122, A bill to be entitled "An Act to require the filing with the clerks of district and county courts of copies of all petitions, answers, motions, notices or other instruments pertaining to suits in such courts; providing for the certification of such copies; prohibiting the removal of original papers from the offices of such clerks, and providing a penalty for such removal, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PAGE, Chairman.

Committee Room,  
Austin, Texas, January 19, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 130, A bill to be entitled "An Act to amend Article 900, Title 10, of the Code of Criminal Procedure of the State of Texas, 1911, so as to make the bail bonds in all criminal cases good until verdict of judgment and until defendant is taken in custody by the sheriff, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following committee amendment:

Amend Senate Bill No. 130 by adding after the word "discharged," in the last line of Section 1, the following:

"Except in misdemeanor cases in which motion for new trial is filed

within the time required by law, in which event such bond shall remain in full force and effect and shall not be considered as discharged until such motion for new trial is overruled."

PAGE, Chairman.

(Floor Report.)

Senate Chamber,  
Austin, Texas, January 19, 1917.  
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 152, A bill to be entitled "An Act to authorize and empower Lamar county or any political subdivision or defined district of said county, by a vote of two-thirds majority of the resident property taxpayers, qualified voters of such county; or political subdivision or defined district thereof, voting thereon, to issue bonds to any amount not exceeding one-fourth of the assessed valuation of the real property of such county or of such political subdivision or defined district, and to levy and collect taxes to pay the interest on such bonds and to provide a sinking fund for the redemption thereof, and for the maintenance of said roads during the life of such bonds, for the purpose of constructing, maintaining and operating macadamized, gravelled or paved roads and turnpikes, and prescribing ways and means of conducting and supervising said work, and to repeal Chapter 3 of the Special Acts of the Thirty-first Legislature and Chapter 15 of the Special Acts of the Thirty-second Legislature, and all other special road laws for Lamar county, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and that it be not printed.

Caldwell, Chairman; Gibson, Clark, Floyd, Strickland, Buchanan and Scurry.

Committee Room,  
Austin, Texas, January 19, 1917.  
Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Public Printing, to whom was referred

In Sacred Memory  
of  
Mrs. J. R. Westbrook

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Whereas, The Senate of Texas has heard with regret of the death of Mrs. J. R. Westbrook of Wolfe City, the mother of Hon. Ed Westbrook, one of the honored members of this body, and desires to express its sympathy for him in this irreparable loss; therefore be it

Resolved, That we, the Senate of Texas, hereby tender to Hon. Ed Westbrook its sincere expression of regret and sympathy, and set aside a page in the Journal upon which shall be inscribed the name of the mother of our friend and fellow Senator.

LATTIMORE.

The foregoing resolution was unanimously adopted by a rising vote of the Senate.

**In Memory**  
**of**  
**Ellis Monroe**

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SIMPLE RESOLUTION NO. 27.

(By unanimous consent.)

By Senators Lattimore and Hudspeth.

Whereas, The Senate of Texas has just learned of the death, at 6 o'clock, January 18, 1917, of Ellis Monroe, who for thirty-three years has been the faithful head porter of this Senate and has served with unfailing courtesy and faithfulness the members of the Senate, and has measured up to the highest ideals of a man in any walk of life for honesty, integrity and uprightness; now, therefore be it

Resolved, That we tender to his wife and family our sympathy and that we permit and request the porters of the Senate to attend the funeral in a body; that a committee of three Senators be appointed to attend the funeral; that we set aside a page in the Journal to the memory of our faithful servitor; that when the Senate adjourn today it do so in honor of the memory of a man of the negro race, who lived so as to command the respect and love of his white friends.

LATTIMORE,  
HUDSPETH.

The resolution was read and adopted and in accordance therewith the following were appointed as a committee to attend the funeral: Senators Lattimore, Johnson of Hall, and McNealus.

S. B. No. 141, A bill to be entitled "An Act to require the publication in some newspaper of general circulation of all notices now required by law or contract to be given of any act or proceeding, whether public or private, or relating to a judicial, executive or legislative matter, which notice is now authorized by law or contract to be made by posting notices in one or more public places, fixing the time of such publication, and the compensation; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

FLOYD, Chairman.

#### TENTH DAY.

Senate Chamber,  
Austin, Texas,  
Monday, January 22, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry	Johnston of Harris
Caldwell.	King.
Clark.	Lattimore.
Dayton.	McCollum.
Floyd.	McNealus.
Gibson.	Parr.
Hall.	Smith.
Henderson.	Westbrook.
Hopkins.	Woodward.

Absent.

Strickland.

Absent—Excused.

Bailey.	Harley.
Bee.	Page.
Dean.	Robbins.
Decherd.	Suiter.

Prayer by the Chaplain.

Pending the reading of the Journal of Friday, the same was dispensed with on motion of Senator Johnson of Hall.

#### Excused.

Senator Bee was excused for today on account of important business, on motion of Senator McCollum.

Senator Page, indefinitely, on motion of Senator Gibson.

Senator Dean, indefinitely, on motion of Senator Johnson of Hall.

Senator Decherd for today, on motion of Senator Caldwell.

Senator Bailey, for today and indefinitely on account of sickness, on motion of Senator Hall.

Senator Harley, for today on account of business, on motion of Senator King.

Senator Robbins, indefinitely for important business, on motion of Senator Lattimore.

See Appendix for brief statement of petitions and memorials.

See Appendix for standing committee reports in full.

#### Appointment of Porters and Pages.

The Lieutenant Governor announced the appointment of Jack Blocker and Willie Carpenter as porters; and also the appointment of Dick McNutt and Carson Wilkerson as pages.

#### Penitentiary Account.

An itemized account of the penitentiary indebtedness was received from the Board of Prison Commissioners, and was referred, by the Chair, to the Committee on Public Debt, Claims and Accounts.

#### Bills and Resolutions.

##### Simple Resolution No. 30.

By Senators Henderson and Smith: Be it resolved by the Thirty-fifth Senate of the State of Texas:

Section 1. That the Secretary of the Navy of the United States is hereby respectfully requested to give attention to the many facilities and advantages afforded by that section of the State of Texas known as "East Texas" as a desirable and suitable place for the erection of a government armor plate plant.

Sec. 2. That the representatives in the National Congress from Texas